

Renton attorney ordered to remove dock and boat lift on Lake Washington

CRAIG D. MAGNUSSON, 60, of Renton, Washington, was sentenced today in U.S. District Court in Seattle to one year of probation, 50 hours of community service, and is required to remove all structures from the shore of his Renton home for violating the federal Rivers and Harbors Act. MAGNUSSON, an attorney, was found guilty February 12, 2009, following a one day bench trial. U.S. District Judge James L. Robart ruled MAGNUSSON violated the law by constructing a pier, float, boatlift, and catwalk at his home on Lake Washington without obtaining a permit. Judge Robart said MAGNUSSON showed "a pattern of taking stands and engaging in conduct which complicates as opposed to simplifying the situation."

In May 2001, the U.S. Army Corps of Engineers initiated an enforcement action against MAGNUSSON. Acting on a complaint from a neighbor, the Army Corps of Engineers first issued a notice of violation to MAGNUSSON on July 31, 2001, for installation of a pier, boat lift and float in Lake Washington without a permit. After receiving a new complaint from King County in June 2002, and after being provided with photos of the work in April 2003, the Corps issued a second letter directing MAGNUSSON to do no further work and advising him to remove the existing structures or apply for a permit after the fact. The Corps never received a response to the letter. MAGNUSSON never made a permit application or provided evidence that the unpermitted structures had been removed.

MAGNUSSON was indicted July 30, 2008.

In his sentencing memo, Assistant United States Attorney Jim Oesterle noted "...the Corps of Engineers undertook every reasonable measure to gain the Defendant's cooperation and avoid this prosecution. Several Corps employees sought to engage the Defendant in a dialogue to explain the Corps' position regarding permitting requirements. These efforts were initially rebuffed and then ultimately ignored."

In court, following years of battling the Corps of Engineers, MAGNUSSON finally admitted "I was wrong and I was wrong in my argument on jurisdiction."

Judge Robart ordered that the dock, and any other man-made structures, be removed by July 1, 2009. MAGNUSSON may then submit the appropriate permit applications to obtain regulatory approval for constructing structures in Lake Washington.

The case was Investigated by the U.S. Corps of Engineers and was prosecuted by Assistant United States Attorney Jim Oesterle. Mr. Oesterle heads the United States Attorney's Office Working Group on Environmental Crimes.

For additional information please contact Emily Langlie, Public Affairs Officer for the United States Attorney's Office, at (206) 553-4110 or Emily.Langlie@USDOJ.Gov, or Patricia Graesser, U.S. Army Corps of Engineers, 206-764-3760.